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At a Term of the Supreme Court, State of New York,
held in and for the County of Schuyler, on the 17th
Day of March, 2008, at the Courthouse in Watkins
Glen, New York

PRESENT: HON. ELIZABETH A. GARRY
Supreme Court Justice

STATE OF NEW YORK
SUPREME COURT :: COUNT OF SCHUYLER

THE PEOPLE OF STATE OF NEW YORK,

Petitioner,

-against-

SHAWN SHORT,
an Individual under the Supervision of
New York State Division of Parole,

Respondent,

for Commitment Under Article 10
of the Mental Hygiene Law.

INTERIM ORDER

Index No. 2007-0341

RJI No. 2007-0134

A trial having been held, starting March 17, 2008, in the Supreme Court, County of Schuyler, in the above-captioned matter, Justice Elizabeth A. Garry, Presiding, and the jury having rendered a verdict on March 21, 2008, finding that there is clear and convincing evidence that Respondent, SHAWN SHORT, suffers from a mental abnormality as that term is defined under Mental Hygiene Law (MHL) Article 10.03(1) and the Court having scheduled a hearing to determine whether the Respondent is a dangerous sex offender requiring confinement or a sex offender requiring Strict and Intensive Supervision and Treatment on April 8, 2008, it is hereby,

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THE HON. JUDGE JAMES J. ...
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ORDERED, that Respondent abide by interim conditions of Strict and Intensive Supervision and Treatment, pursuant to MHL §10.11, to wit, Respondent agrees that:

1. I will make office and/or written reports as directed.
2. I will not leave the State of New York or any other State to which I am released or transferred, or any area defined in writing by my Parole Officer without permission.
3. I will permit my Parole Officer to visit me at my residence and/or place of employment and I will permit the search and inspection of my person, residence and property. I will discuss any proposed changes in my residence, employment, or program status with my Parole Officer. I understand that I have an immediate and continuing duty to notify my Parole Officer of any changes in my residence, employment, or program status when circumstances beyond my control make prior discussion impossible.
4. I will reply promptly, fully, and truthfully to any inquiry of or communication by my Parole Officer or other representative of the Division of Parole.
5. I will notify my Parole Officer immediately any time I am in contact with or arrested by any law enforcement agency. I understand that I have a continuing duty to notify my Parole Officer of such contact or arrest.
6. I will not be in the company of or fraternize with any person I know to have a criminal record or whom I know to have been adjudicated a youthful offender except for accidental encounters in public places, work, school, immediate family members, or in any other instance without the permission of my Parole Officer.
7. I will not behave in such manner as to violate the provisions of any law to which I am subject which provide for a penalty of imprisonment nor will my behavior threaten the safety or well being of myself or others.
8. I will not own, possess, or purchase any shotgun, rifle, or firearm of any type without the written permission of my Parole Officer. I will not own, possess, or purchase any

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deadly weapon as defined the Penal Law or any dangerous knife, dirk, razor, stiletto, or imitation pistol. In addition, I will not own, possess, or purchase any instrument readily capable of causing physical injury without a satisfactory explanation for ownership, possession or purchase.

9. I will not use or possess any drug paraphernalia or use or possess any controlled substance without proper medical authorization.

10. SPECIAL CONDITIONS UPON RELEASE:

10a. I will seek, obtain, and maintain employment and/or an academic/vocational program

10b. I will submit to substance abuse testing as directed by my Parole Officer.

10c. I will have no contact with any person under the age of eighteen, without written permission of my Parole Officer.

10d. I will not associate in any way or communicate by any means with Brittnie Miller without the permission of my Parole Officer.

10e. I will comply with all Orders of Protection.

10f. I will abide by the mandatory condition imposed by the Sexual Assault Reform Act, Chapter 1 of the Laws of 2000.

11. I will fully comply with the instructions of my Parole Officer and obey such special additional written conditions as he, member of the Board of Parole, or an authorized representative of the Division of Parole may impose:

11a. I will confine my travels to Tioga County, New York, and not leave Tioga County, New York, unless I have prior permission from my Parole Officer to do so. I am permitted to travel outside of Tioga County, New York, for court appearances, treatment, and meetings with my legal counsel.

11b. I will observe a daily 7 p.m. to 5 a.m. curfew. I will be in my approved residence between these hours every day.

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- 11c. I will make reports to my Parole Officer on the second and fourth Wednesday of every month between the hours of 3 p.m. and 5 p.m. until I am directed to the contrary. I will make these reports at the Village of Owego Police Department, 90 Temple Street, Owego, New York, 13827. I will enter through the door marked Court Door.
- 11d. I will completely abstain from the possession and/or consumption of all alcoholic beverages. I further understand that I must not enter into or loiter near any establishment which primarily dispenses alcoholic beverages; including but not limited to bars, taverns, after hours clubs, liquor stores, and so forth.
- 11e. I will attend an evaluation for substance abuse treatment and I will comply with any and all treatment recommendations.
- 11f. I will submit to substance abuse testing as directed by my Parole Officer. I will not attempt to alter a urinalysis test by providing a foreign substance, another person's/animal's urine or any device that could be used to alter a urinalysis. I understand that any attempt to alter any urinalysis test is a violation of my parole in an important respect.
- 11g. I will completely abstain from the possession, sale, purchase and/or use of marijuana or concentrated cannabis.
- 11h. I will not own, purchase, or possess any form of scanner or police frequency radio.
- 11i. I will have no contact whatsoever with any male or female child who is 17 years of age or younger. I understand that I will not have any conversation with any child, correspond with any child or be in the company of any child. I understand that I will avoid those places where children get together such as parks, schools, church groups, playgrounds and so forth. I further understand that I will not come within one-thousand (1,000) feet of any playground, school, or any location where

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children gather and/or play.

- 11j. I will have no contact whatsoever with the victims(s) or their family members of my instant offense or any member of their family. I understand this to mean that I will not contact them in person, by telephone, by mail, by e-mail, nor will I have them contacted on my behalf by any third party. I am to have no contact, as described above, with Jennifer Donaldson or any of her family nor am I to have any contact with Maria Andrews, direct or indirect, or any members of her immediate family.
- 11k. I will not obtain and/or possess a motor vehicle operator's license or learner's permit from New York State or any other jurisdiction nor will I operate a motor vehicle. I further understand that I must not renew an existing operator's license or learner's permit with my Parole Officer's permission and I will surrender any valid licenses or permits I currently have when ordered to do so.
- 11l. I will not possess any pornographic materials, including but not limited to pictures, books, magazines, video cassettes, drawings, and so forth.
- 11m. I will not own, purchase, or possess any children's toys, clothing, etc. I am permitted to purchase items for my child to be delivered to him by a third party.
- 11n. I will not pick up any hitchhikers nor will I hitchhike.
- 11o. I will not frequent adult bookstores, massage parlors, topless bars, and sex shops.
- 11p. I will abide by the Sex Offender Registration Law. I will not change my address without the prior approval of my Parole Officer. I will use the official DCJS form available from my Parole Officer to report a change of address ten (10) days prior to moving or immediately upon moving if conditions do not allow prior notification.
- 11q. I will not operate any computer or device that has internet access through modem, cable, or direct satellite feed nor will I engage in any e-mail correspondence with

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any individual.

- 11r. I will not possess any photographs, any negatives, any videos or any other form of reproductions of my victim(s) or members of their families.
- 11s. I will notify my Parole Officer if I am to involve myself in a relationship with a male or female that may have the potential of being intimate:
- 11t. I will not engage into, solicit, or purchase pornography via telephone or cell phone.
- 11u. I will not use or possess medications or supplements designed or intended for the purpose of enhancing sexual performance or treating erectile dysfunction without the written permission of my Parole Officer and the approval of his or her area supervisor.
- 11v. I will participate in the Division of Parole's polygraph program as directed by my Parole Officer. I understand that this will include periodic polygraph sessions consisting of a pre-examination interview, polygraph examination and post-test interview with the polygraph examiner or my Parole Officer.

AND IT IS FURTHER,

ORDERED, that Respondent hereby certifies that he has read, understands, and will execute the above Special Conditions of his release and that he will be provided a copy of said Special Conditions.

Dated: March 31, 2008
Norwich, New York


THE HONORABLE ELIZABETH A. GARRY
Justice of the Supreme Court

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